

Atty. Dkt. No. 088485-0237

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hisahide Hattori et al.

Title: INFORMATION RECORDING  
APPARATUS AND  
INFORMATION RECORDING  
METHOD

Appl. No.: 10/734367

Filing Date: 12/11/2003

Examiner: Mano Padmanaghan

Art Unit: 2188

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Christine Flores</u> (Printed Name)</p> <p><u>C. Flores</u> (Signature)</p> <p><u>8/3/05</u> (Date of Deposit)</p>
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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

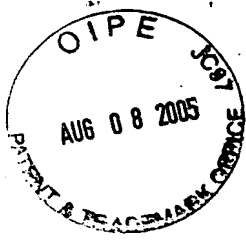
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

For convenience of the examiner, a machine translation of the detailed description section of the reference is enclosed. Additionally, several English language US patents which are in the same family of patents as the cited reference are listed on the SB08 form.

A direct English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98 and MPEP §609).

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.



The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date August 3, 2005

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Date Submitted: August 3, 2005

(use as many sheets as necessary)

Sheet

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**Complete if Known**

<b>Application Number</b>	10/734367
<b>Filing Date</b>	12/11/2003
<b>First Named Inventor</b>	Hisahide Hattori
<b>Group Art Unit</b>	2188
<b>Examiner Name</b>	Mano Padmanabhan
<b>Attorney Docket Number</b>	088485-0237

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	6,546,452	B2	Ando et al.	4/8/2003	
	A2	6,549,976	B2	Ando et al.	4/15/2003	
	A3	6,571,309	B2	Ando et al.	5/27/2003	
	A4	6,594,725	B2	Ando et al.	7/15/2003	
	A5	6,609,175	B1	Ando et al.	8/19/2003	
	A6	6,651,135	B2	Ando et al.	11/18/2003	
	A7	6,662,309	B2	Ando et al.	12/9/2003	

**FOREIGN PATENT DOCUMENTS**

[illegible]

## NON PATENT LITERATURE DOCUMENTS

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Indicate the classification designated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if

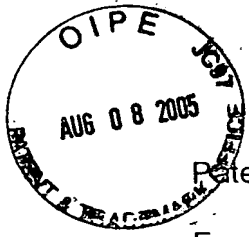
<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

English language Translation is attached

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

(Translation)

Mailed: July 5, 2005



NOTIFICATION OF REASONS FOR REJECTION

Patent Application No.: Japanese Patent Application No. 2002-366903

Examiner's Notice Date: June 30, 2005

Examiner: Satoshi SAITO 4232 5Q00

Attorney for Patent Applicant: Takehiko SUZUYE (other 6 attorneys)

Applied Section: Section 29 (2)

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

REASON

The invention is unpatentable under Section 29 (2) of the Patent Law, as being such that the invention could easily have been made by a person with ordinary skill in the art to which the invention pertains, on the basis of the invention described in the following publication distributed in Japan or a foreign country prior to this application or the invention made available to the public through electric telecommunication lines in Japan or a foreign country prior to this application.

REMARKS (refer to reference cited)

- Claims 1 to 10
- Reference 1
- Remark

Reference 1 discloses that, when video image information in conformity with a recording format of a DVD video disk is recorded on a DVD-RAM disk (paragraph [0007]), an area which enables continuous recording is preset, and that video image information is continuously recorded on this area (claim 1).

The data structure recited in these claims was known as a recording format of DVD video disks prior to the filing date of the present application, and, additionally, it is disclosed and used in Reference 1, as stated above, also to set

an area enabling continuous recording, which corresponds to the term "recordable continuous region" used in these claims. Thus, no particular difference would be found between the present invention as claimed in these claims and the technique disclosed in Reference 1.

If a new reason for rejection is noticed, a further Official Action will be issued.

Reference Cited:

1. Jpn. Pat. Appln. KOKAI Publication No. 2000-112672

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Prior Art Search Report

Searched Field:           IPC 7th ed.       G11B   20/12

Prior-Art Documents:

Jpn. Pat. Appln. KOKAI Publication No. 2000-112673  
WO 98/14938

Jpn. Pat. Appln. KOKAI Publication No. 2000-013728

(All the documents disclose the setting of continuous recording areas including a defective area, like Reference 1.)

The result of this prior art search does not constitute the reasons for rejection.